

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**JULIUS D. ERVING,**

**Petitioner,**

**-vs-**

**WARDEN RANDY PFISTER,**

**Respondent.**

**No. 15-cv-394-DRH**

**JUDGMENT IN A CIVIL CASE**

**DECISION BY COURT.** This matter is before the Court on Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. §2254 and Respondent's Motion to Dismiss for Failure to Exhaust State Court Remedies (Doc. 11).

**IT IS ORDERED AND ADJUDGED** that pursuant to the Memorandum and Order entered by this Court on July 23, 2015 (Doc. 20), the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. §2254 is **DISMISSED without prejudice**. Judgment is in favor of the Respondent.

**JUSTINE FLANAGAN,  
ACTING CLERK OF COURT**

**BY: s/Caitlin Fischer  
Deputy Clerk**

**DATED:** July 23, 2015

  
Digitally signed by  
David R. Herndon  
Date: 2015.07.23  
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**APPROVED:  
U.S. DISTRICT JUDGE  
U. S. DISTRICT COURT**